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ATTORNEYS OF RECORD:  
WILLIAM J. ANTHONY (WA 2468)  
SAMANTHA ABEYSEKERA (SA 8198)  
JOANNA S. SMITH (JS 6471)

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NICK ORAM, on behalf of himself and on  
behalf of all other similarly situated persons,

Plaintiff,

-against-

SOULCYCLE LLC, SOULCYCLE  
HOLDINGS LLC, SOULCYCLE 384  
LAFAYETTE STREET, LLC,  
SOULCYCLE 350 AMSTERDAM, LLC,  
SOULCYCLE 609 GREENWICH STREET,  
LLC, SOULCYCLE BRIDGEHAMPTON,  
LLC, SOULCYCLE EAST 18<sup>TH</sup> STREET,  
LLC, SOULCYCLE EAST 63RD STREET,  
LLC, SOULCYCLE EAST HAMPTON,  
LLC, SOULCYCLE ROSLYN LLC,  
SOULCYCLE SCARSDALE LLC,  
SOULCYCLE TRIBECA, LLC,  
SOULCYCLE WEST 19TH STREET, LLC,  
SOULCYCLE BRENTWOOD, LLC,  
SOULCYCLE SANTA MONICA, LLC, and  
SOULCYCLE WEST HOLLYWOOD, LLC,

Defendants.

Civ. No.: 13 CV 2976 (RWS)

**NOTICE OF DEFENDANTS' MOTION  
TO SEVER PLAINTIFF'S CALIFORNIA  
CLAIMS AND PARTIES PURSUANT  
TO FED. R. CIV. P. 21 AND TO DISMISS  
PLAINTIFF'S COMPLAINT  
PURSUANT TO FED R. CIV. P. 12(b)(6)**

To: Douglas Wigdor, Esq.  
David E. Gottlieb, Esq.  
THOMPSON WIGDOR LLP  
*Attorneys for Plaintiff*  
85 Fifth Avenue  
New York, New York 10003

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law, Declaration of William J. Anthony, Esq., with attached exhibits, and Affidavit of Kevin Morris, with attached exhibits, the undersigned will move this Court before the Honorable Robert W. Sweet, U.S.D.J. at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, located at 500 Pearl Street, New York, New York 10007-1312, on the 17<sup>th</sup> day of July, 2013 at 12:00 PM, for an Order (1) severing and dismissing Plaintiff's California Claims and the California Parties; (2) dismissing Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(6); and (3) for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

JACKSON LEWIS LLP  
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Dated: June 11, 2013  
New York, New York

By: /S/ William J. Anthony  
William J. Anthony (WA 2468)  
Samantha Abeysekera (SA 8198)  
Joanna S. Smith (JS 6471)

*ATTORNEYS FOR DEFENDANTS*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11th day of June 2013, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon the following parties and participants:

Douglas Wigdor, Esq.  
David E. Gottlieb, Esq.  
THOMPSON WIGDOR LLP  
*ATTORNEYS FOR PLAINTIFF*  
85 Fifth Avenue  
New York, New York 10003

S/ Joanna S. Smith  
Joanna S. Smith, Esq.